

FINAL APPROVED

**VIRGINIA BOARD OF MEDICINE
MINUTES**

Thursday, June 21, 2007	Department of Health Professions	Richmond, VA
CALL TO ORDER:	A panel of the Board was called to order at 2:32 p.m.	
MEMBERS PRESENT:	Karen A. Ransone, M.D., Chair Patrick W. Clougherty, M.D. Valerie L. Hoffman, D.C. Robert T. Mosby, Jr., M.D. Ann T. Burks, J.D. Stephen E. Heretick, J.D. Pam Bailey	
OAG & STAFF PRESENT:	Amy Marschean, Assistant Attorney General, Board Counsel William L. Harp, M.D., Executive Director of the Board	
PARTIES ON BEHALF OF THE COMMONWEALTH:	Julia Bennett, Adjudication Specialist, APD	
WITNESSES:	Patricia Pade, M.D. Associate Medical Director, HPIP (<i>on behalf of the Commonwealth</i>)	
COURT REPORTER:	Keith Crane, Crane-Snead & Associates	
MATTER SCHEDULED:	Joseph Fischkelta, P.A. Case No.: 103542	License No.: 0110-840657
PRELIMINARY MATTERS:	The Chair noted that Mr. Fischkelta was not present and the time was now 2:34 p.m. and Mr. Fischkelta was scheduled to appear before the Board on June 21, 2007 at 1:30 p.m. Ms. Bennett provided the Chair with an affidavit signed by the Executive Director affirming that Notice had been made to Mr. Fischkelta's official address of record with the Board at least (30) days prior to the convening of this hearing.	
RULING:	Based on the information provided, the Chair ruled that proper notice had been made to Mr. Fischkelta. Therefore, the formal hearing would proceed in his absence and the Affidavit was admitted into evidence as Commonwealth's Exhibit #5.	
DISCUSSION:	Mr. Fischkelta did not appeared before the Board in accordance with a Notice and Statement of Particulars dated April 16, 2007, nor was he represented by counsel. The Board received sworn	

testimony regarding the allegations in the Statement of Particulars from the witness called to testify.

CLOSED SESSION:

Upon a motion by Mr. Heretick, and duly seconded by Ms. Burks, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Dr. Jackson. Additionally, he moved that Ms. Marschean and Dr. Harp attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE:

Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION:

Upon a motion by Mr. Heretick, and duly seconded, the Board made certain Findings of Fact and Conclusions of Law and voted to suspend Mr. Fischkelta's privilege to renew his license for not less than (3) years.

VOTE:

The vote was unanimous.

ADJOURNMENT:

The Board adjourned at 3:15 p.m.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

/s/ _____
Karen A. Ransone, M.D., Chair

/s/ _____
William L. Harp, M.D., Executive Director

9/26/2007
Date

10/31/2007
Date

CALL TO ORDER:

A panel of the Board was called to order at 2:35 p.m.

MEMBERS PRESENT:

Malcolm L. Cothran, Jr., Chair
Juan M. Montero, II, M.D.
Jane E. Piness, M.D.
Ellen Shapiro, D.P.M.
General Clara Adams-Ender, R.N., M.S.N.
Roderick B. Mathews, J.D.
Betsy Brooks Carr

OAG & STAFF PRESENT:

Ishneila Moore, Assistant Attorney General, Board Counsel
Jennifer L. Deschenes, Deputy Executive Director, Discipline

PARTIES ON BEHALF OF THE COMMONWEALTH: James Schliessmann, Assistant Attorney General
Leigh Kiczales, Adjudication Specialist

WITNESSES: Patient A (*on behalf of the Commonwealth*)

OTHERS PRESENT: Leanne Stumm, Investigator

COURT REPORTER: Comilla Boyd, Crane-Snead & Associates

MATTER SCHEDULED: **Samuel Suk Syn, L.Ac.** **License No.: 0121-000009**
Case Nos.: 86207, 100000

PRELIMINARY MATTERS: The Chair noted that Mr. Syn was not present and the time was now 2:37 p.m. Mr. Syn was scheduled to appear before the Board on June 21, 2007 at 1:45 p.m.

Mr. Schliessmann provided the Chair with an affidavit signed by the Executive Director affirming that Notice had been made to Mr. Syn's official address of record with the Board at least (30) days prior to the convening of this hearing.

RULING: Based on the information provided, the Chair ruled that proper notice had been made to Mr. Syn. Therefore, the formal hearing would proceed in his absence and the Affidavit was admitted into evidence as Commonwealth's Exhibit #4.

DISCUSSION: Mr. Syn did not appeared before the Board in accordance with a Notice and Statement of Particulars dated April 19, 2007, nor was he represented by counsel. The Board received sworn testimony regarding the allegations in the Statement of Particulars from the witness called to testify.

CLOSED SESSION: Upon a motion by Dr. Piness, and duly seconded by Ms. Carr, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Mr. Syn. Additionally, she moved that Ms. Moore and Ms. Deschenes attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION: Upon a motion by General Adams-Ender, and duly seconded by Dr. Montero, the Board made certain Findings of Fact and Conclusions of Law and voted to revoke the license of Mr. Syn.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 3:25 p.m.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

/s/ _____
Malcolm L. Cothran, Jr., M.D., Chair

/s/ _____
William L. Harp, M.D., Executive Director

8/10/2007
Date

10/31/2007
Date

CALL TO ORDER: A panel of the Board was called to order at 3:21 p.m.

MEMBERS PRESENT: Karen A. Ransone, M.D., Chair
Patrick W. Clougherty, M.D.
Sandra Bell, M.D.
Robert T. Mosby, Jr., M.D.
Ann T. Burks, J.D.
Stephen E. Heretick, J.D.
Beth Meixner, L.R.T.

OAG & STAFF PRESENT: Amy Marschean, Sr. Assistant Attorney General, Board Counsel
William L. Harp, M.D., Executive Director of the Board

**PARTIES ON BEHALF OF
THE COMMONWEALTH:** Julia Bennett, Adjudication Specialist

WITNESSES: Carole Crutchfield, Sr. Investigator (*on behalf of the Commonwealth*)

COURT REPORTER: Keith Crane, Crane-Snead & Associates

MATTER SCHEDULED: Denise R. Moles, L.R.T. License No.: 0122-000618
Case No.: 102757

PRELIMINARY MATTERS: The Chair noted that Ms. Moles was not present and the time was now 3:22 p.m. Ms. Moles was scheduled to appear before the Board on June 21, 2007 at 2:00 p.m.

Ms. Bennett provided the Chair with an affidavit signed by the Executive Director affirming that Notice had been made to Ms. Moles' official address of record with the Board at least (30) days prior to the convening of this hearing.

RULING: Based on the information provided, the Chair ruled that proper notice had been made to Ms. Moles. Therefore, the formal hearing would proceed in her absence and the Affidavit was admitted into evidence as Commonwealth's Exhibit #4.

DISCUSSION: Ms. Moles did not appeared before the Board in accordance with a Notice and Statement of Particulars dated April 16, 2007, nor was she represented by counsel. The Board received sworn testimony regarding the allegations in the Statement of Particulars from the witness called to testify.

CLOSED SESSION: Upon a motion by Dr. Mosby, and duly seconded by Dr. Bell, the Board voted to convene a closed meeting pursuant to §2.2-3711.A(28) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Ms. Moles. Additionally, he moved that Ms. Marschean and Dr. Harp attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

RECONVENE: Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board re-convened in open session and announced its decision.

DECISION: Upon a motion by Dr. Bell, and duly seconded, the Board made certain Findings of Fact and Conclusions of Law and voted to indefinitely suspend Ms. Moles' privilege to renew her license.

VOTE: The vote was unanimous.

ADJOURNMENT: The Board adjourned at 3:44 p.m.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

/s/ _____
Karen A. Ransone, M.D., Chair

/s/ _____
William L. Harp, M.D., Executive Director

9/25/2007
Date

10/31/2007
Date